



# City Council Agenda

Council President  
**Chris Mathys**

Council Members

**Garry Bredefeld**  
**Mike Briggs**, Acting President  
**Henry Perea**

**Sal Quintero**  
**Daniel Ronquill**  
**Ken Steitz**

City Manager  
**Jeffrey M. Reid**

City Clerk  
**Rebecca E. Klisch**

City Attorney  
**Hilda Cant Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

**TUESDAY, OCTOBER 20, 1998**

**IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. (THE AGENDA IS AVAILABLE ON [WWW.CI.FRESNO.CA.US](http://WWW.CI.FRESNO.CA.US))**

## **9:00 A.M. Roll Call**

Invocation by Dr. James M. Akins of California Southern Baptist Convention

Observation of a moment of silence in honor of the 15<sup>th</sup> Anniversary of the suicide bombing of the Marine barracks in Beirut, Lebanon in which 241 U.S. Marines were killed and the invasion of Grenada in which 19 American lives were lost - Councilmember Bredefeld

Pledge of Allegiance to the Flag

Resolution of Commendation to Arthur Dyson - All Councilmembers

Presentation by Elizabeth Diaz of the Roosevelt High School Community Tobacco and Violence Free Zone - Councilmember Quintero

Resolution of Commendation to Trevor B. Thompson, Boy Scouts of America Eagle Court of Honor - Council President Mathys

**COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.**

**THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.**

**Approve Council minutes of October 6, 1998**

**Action Taken:**

**Approve Agenda**

**Action Taken:**

**Adopt Consent Calendar**

**Action Taken:**

#### **TIME SCHEDULED HEARINGS AND MATTERS**

**9:30 A.M. HEARING** to consider Plan Amendment Application No. A-98-20, filed by DEMCO, Inc., for approximately 1.3 acres of property located on the west side of N. Millbrook Avenue between E. Herndon and E. Alluvial Avenues

**Action Taken:**

- 1. RESOLUTION** - Amending the Woodward Park Community Plan from medium-high density residential use to office use

**Action Taken:**

**10:00 A.M. Employee Service Awards Presentation with reception immediately following**

**Action Taken:**

**10:45 A.M. HEARING** to consider Rezoning Application No. R-98-21, filed by Amanda Elegant, for 4.5 acres of property located on the north side of W. Figarden Drive between N. Santa Fe and N. Brawley Avenues  
**(CONTINUE TO NOVEMBER 10, 1998, AT 11:00 A.M.)**

- 1. BILL** - Amending the Official Zone Map from AE-5/UGM to R-2/BA-20/UGM

**Action Taken:**

**10:50 A.M.\* BILL NO. B-88 (INTRO. 10/6/98) - Amending Section 8-1212.1 of the Fresno Municipal Code**

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

relating to Mobilehome Rent Review and Stabilization - Council President Mathys

**Action Taken:**

**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**11:30 A.M. HEARING** to consider Rezoning Application No. 98-25, filed by Gary Browns, for 5 acres of property located on the northwest corner of N. First Street and E. Alluvial Avenue

**Action Taken:**

1. **BILL** - Amending the Official Zone Map to change a condition of zoning to allow for an increase from 60,000 to 65,000 square feet of development

**Action Taken:**

**2:00 P.M.#1 DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

**2:00 P.M.#2 CLOSED SESSION:**

1. **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6  
**City Negotiators:** Jeffrey M. Reid, Jorge Aguiniga, Andrew T. Souza  
**Employee Organization(s):** CFPEA; IBEW  
**Action Taken:**
2. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** -  
Government Code Section 54957  
**Title:** City Attorney  
**Action Taken:**
3. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)
  - a. **Case Name:** Myrna Loran v. City of Fresno, et al.  
**Action Taken:**

**5:00 P.M. CONTINUED HEARING** on Text Amendment No. TA-97-09 proposing changes to the Fresno Municipal Code, Article 2, Chapter 12, relating to advertised structures (billboards)

**Action Taken:**

1. Text Amendment No. TA-97-09 proposing changes to Fresno Municipal Code Article 2, Chapter 12, related to advertising structures (*for adoption*)
  - a. \* **BILL NO. B-90 - (INTRO. 10/6/98)** - Alternative No. 1 as proposed by advertising industry  
**Action Taken:**
  - b. \* **BILL NO. B-91 (INTRO. 10/6/98)** - Alternative No. 2 as proposed by staff  
**Action Taken:**

**5:15 P.M. \*** Restore funding (\$118,000) eliminated in Fiscal Year 1998/99 budget process for the Tulare-Helm

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

traffic signal; funding source to come from other capital projects - Councilmember Perea

**Action Taken:**

**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**5:30 P.M.     REGULAR MEETING OF THE REDEVELOPMENT AGENCY:**

**Approve Agency minutes of October 6, 1998**

**Action Taken:**

**AGENCY GENERAL CONSENT CALENDAR:**

- A.**     Consider consulting agreements relating to feasibility studies and project adoption of the Proposed Central City Commercial Revitalization Project Area and the Proposed Airport Area Revitalization Project Area with the firms of:
- 1.**     Low Pond Consulting Services for project adoption services for both the proposed Central City Commercial Revitalization and the Airport Area Revitalization Project Areas
  - 2.**     Woodcock Planning and Environmental Services to prepare an Environmental Impact Report for the Central City Commercial Revitalization Survey Area
  - 3.**     Willdan Associates to conduct property field surveys for the Central City Commercial Revitalization Survey Area and the Airport Area Commercial Revitalization Survey Area

**Action Taken:**

**JOINT MEETING WITH THE REDEVELOPMENT AGENCY:**

- B.**     **JOINT HEARING** to consider actions relating to the approval and adoption of the proposed 1998 Amendment to the Southwest Fresno General Neighborhood Renewal Area (GNRA) Project Urban Renewal Plan and the Proposed 1998 Amendment to the Fruit/Church Project Redevelopment Plan, and the resulting merger of the two project areas for Merger Project No. 2:

**Action Taken:**

- 1.**     **RESOLUTION** - Certifying Program Environmental Impact Report No. 10125 with attachments (*Council and Agency action*)  
**Action Taken:**
  - a.**     Statement and findings of potential adverse environmental effects and mitigation measures to lessen or avoid those effects
  - b.**     Statement of unavoidable adverse effects
  - c.**     Findings on project alternatives
  - d.**     Statement of overriding considerations that the project benefits outweigh the unavoidable adverse effects
  - e.**     Mitigation Monitoring Checklist

**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

**JOINT MEETING WITH THE REDEVELOPMENT AGENCY CONTINUED:**

**2. BILLS FOR INTRODUCTION AND ADOPTION:**

- a. **BILL A** - Proposed 1998 amendment and merger of the Southwest Fresno General Neighborhood Renewal Area Project: (*Council action*)  
Action Taken:
- b. **BILL B** - Proposed 1998 amendment and merger of the Southwest Fresno General Neighborhood Renewal Area Project, deleting the County Area (*Council action*)  
Action Taken:
- c. **BILL** - Proposed 1998 amendment and merger of the Fruit/Church Redevelopment Project (*Council action*)  
Action Taken:

**ADJOURN AGENCY**

**1A. GENERAL CONSENT CALENDAR**

**(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.#1)**

1. **RESOLUTION** - Approving Final Map for Tract No. 4859, Phase IV of Vesting Tentative Tract No. 4741/UGM 574, a 93-lot single-family residential subdivision on 18.01 acres, located on the north side of E. Shepherd Avenue between N. Sommerville Drive, formerly known as N. Chestnut Avenue and N. Willow Avenue  
Action Taken:
2. Award a requirements contract for microfilming  
Action Taken:
3. Award contracts for construction of Grantland Trunk Sewer  
Action Taken:
4. Award a requirements contract for portland cement  
Action Taken:
5. \* **RESOLUTION** - 2<sup>nd</sup> amendment to the Salary Resolution No. 98-161 establishing three new classes for inclusion in the Non-Supervisory White Collar Unit and the Management Non-Confidential Group; and modifying FLSA status for legal assistant  
Action Taken:

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

1A. **GENERAL CONSENT CALENDAR CONTINUED**

6. **RESOLUTION** - Approving the intent to reimburse certain expenditures associated with the renovation of the police headquarters facility from proceeds of an equipment lease  
**Action Taken:**
7. Approval of a contract for independent verification and validation assurance services for the financial, purchasing, budget, cost accounting, human resources and payroll system implementation project  
**Action Taken:**
8. Approval of a three (3) year lease to purchase network switching equipment and cable, desktop computers, CD data storage towers, and other related equipment  
**Action Taken:**
9. Approve Land Lease and Agreement with Beal Properties, Inc.  
**Action Taken:**
10. Approve submission of the Local Transportation Fund (LTF) and State Transit Assistance (STA) Claim for Fiscal Year 1999  
**Action Taken:**
11. \* **RESOLUTION** - 34<sup>th</sup> amendment to AAR No. 98-159 appropriating \$5,000 of District 6's infrastructure capital to provide funding for the River Park Little League (*Requires 5 affirmative votes*)  
**Action Taken:**
12. Approve the Agreement between the City of Fresno and the Fresno City Employees Association Non-Supervisory White Collar Unit 3 (FCEA) regarding premium pay for standby in the Department of Public Utilities  
**Action Taken:**
13. **RESOLUTION** - Approving the purchase of a used gas turbine to be used at the Regional Wastewater Treatment Facility without competitive bidding under the sole source exemption
14. Proposed appointment of Darius Assemi to the Fresno Metropolitan Flood Control Board - Mayor Patterson (*For introduction*)

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

**1B. CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

1. \* **BILL** - Text Amendment No. TA-97-08 proposing changes to the Fresno Municipal Code, Article 2, Chapter 12, relating to the requirement of a conditional use permit for the sale of alcoholic beverages  
*Action Taken:*

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. \* **BILL NO. B-87 (INTRO. 10/6/98)** - Amending Sections 9-806 and 9-810 of the Fresno Municipal Code relating to the appeal provisions of the Public Nuisance Ordinance  
*Action Taken:*
- B. \* **RESOLUTION** - 21<sup>st</sup> amendment to AAR No. 98-159 accepting \$50,000 from the Fresno Unified School District to cover costs associated with Police Department services undertaken on school campuses (*Requires five affirmative votes*)  
*Action Taken:*

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Direct staff to lower the flags to half-staff on Friday, October 23, 1998 in observation of the 15<sup>th</sup> Anniversary of the suicide bombing of the Marine barracks in Beirut, Lebanon in which 241 U.S. Marines were killed and the invasion of Grenada in which 19 American lives were lost - Councilmember Bredefeld  
*Action Taken:*
- B. Direct City Attorney to create an ordinance prohibiting the use of self-service displays to sell tobacco products to minors. Ordinance to apply to all establishments engaged in the sale of tobacco products - Councilmembers Perea and Bredefeld  
*Action Taken:*
- C. Direct City Manager to direct staff to prepare a cost estimate and feasibility study for lighting at the Dog Park on El Capitan and Alamos - Council President Mathys  
*Action Taken:*

5. **CITY COUNCIL ITEMS CONTINUED:**

- D. Direct City Manager to direct Park and Recreation Department to furnish cost estimate to Council to prepare plans for the establishment of 35 acres along the San Joaquin River as a City Park - Council President Mathys  
*Action Taken:*
- E. **RESOLUTION** - Forming the association for the beautification of the Freeway 99 Corridor - Councilmember Bredefeld  
*Action Taken:*
- F. Discuss Crime Stoppers request regarding fee waiver for the use of the Convention Center Exhibit Hall for its annual "Join the Force" fundraiser on June 12, 1999 - Councilmember Perea  
*Action Taken:*

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS -** You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

**SCHEDULED COUNCIL HEARINGS AND MATTERS**

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**



- Oct. 27 - 9:00 A.M.                    Presentation of Employee P.R.I.D.E. Team Awards and Reception**
- Oct. 27 - 9:30 A.M.                    Discuss current lease agreement of Veterans Memorial Auditorium and the Legion of Valor Museum - Council President Mathys**
- Oct. 27 - 10:30 A.M. Consideration of RFP for developing a public awareness campaign to decrease red light running violations - Councilmember Bredefeld**
- Oct. 27 - 11:00 A.M. HEARING on T.A. No. 97-08 - CUP for sale of alcoholic beverages**
- Nov. 3 - ELECTION DAY - MEETING TO BE DETERMINED**
- Nov. 10 - 11:00 A.M.                    HEARING on P.A. No. 98-011, Rezone Appl. R-98-018, filed by Paul Lucich**
- Nov. 10 - 11:30 A.M.                    HEARING on Rezone Appl. No. 98-026, filed by Nick Shubin**
- Nov. 10 - 3:00 P.M.                    Proposed text amendment dealing with the establishment of residential water rates - Council President Mathys**
- Nov. 24 -. NO MEETING - THANKSGIVING WEEK**
- Dec. 8 - 10:30 A.M. HEARING re: vacation of portions of Cornelia at Dante - R.I. 1018-D**
- Dec. 15 - 2:30 P.M. CONTINUE HEARING re: City of Fresno Community District No. 2, Annexation No. 7**

**\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**